

Message Text

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73

ACTION L-03

INFO OCT-01 EUR-12 ISO-00 PM-04 NSC-05 SP-02 SS-15 SAM-01

OMB-01 TRSE-00 CIAE-00 INR-07 /051 W
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R 021255Z SEP 75

FM AMEMBASSY ANKARA

TO SECSTATE WASHDC 567

INFO USCINCEUR

CINCUSAFE

AMEMBASSY ATHENS

AMEMBASSY LONDON

AMEMBASSY NICOSIA

USMISSION NATO

USUN NEW YORK 2125

USNMR SHAPE

AMCONSUL ADANA

USDOCOSOUTH NAPLES

CINCUSNAVEUR LONDON

USDOCOLANDSOUTHEAST IZMIR

AMCONSUL ISTANBUL

AMCONSUL IZMIR

SECDEF WASHDC

DIRNSA WASHDC

C O N F I D E N T I A L ANKARA 6735

E.O. 11652: GDS

TAGS: MARR, MOPS, PFOR, TU

SUBJECT: GOT RESTRICTIONS ON US MILITARY ACTIVITIES:

MEETING WITH SEC GEN ELEKDAG

1. I MET WITH MFA SEC GEN ELEKDAG AFTERNOON SEPTEMBER 1.
ELEKDAG APOLOGIZED FOR DISTURBING ME ON LABOR DAY BUT SAID THAT
GOT WAS VERY MUCH CONCERNED BY USG POSITION SET FORTH IN NOTE
EMBASSY DELIVERED JULY 27 AND REITERATED IN OUR SUBSEQUENT
AUGUST 25 NOTE. (IN THOSE NOTES USG ASSERTED THAT THE DEFENCE
COOPERATION AGREEMENT (DCA) AND RELATED AGREEMENTS WERE NOT
REPEAT NOT MADE NULL AND VOID BY THE CONGRESSIONAL EMBARGO.)
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TEXTS OF FIRST NOTE CONTAINED STATE 177051 DTG 261845Z JUL 75 NOTAL

AND SECOND IN STATE 198867 DTG 211755Z AUG 75 AS AMENDED BY
ANKARA 6537 DTG 221323Z AUG 75.

2. ELEKDAG AGAIN STATED THAT IT WAS THE FIRM VIEW OF THE GOT THAT DCA AND RELATED AGREEMENTS WERE "TERMINATED" AS A RESULT OF CONGRESS' ACTION. HE THEN HANDED ME A NOTE WHICH WAS A RESPONSE TO THE US JULY 27 NOTE AND WHICH AGAIN SPELLED OUT THE GOT POSITION ON THIS POINT (TEXT DISPATCHED IN IMMEDIATELY FOLLOWING TELEGRAM.)

3. ELEKDAG THEN WENT ON ORALLY TO MAKE SEVERAL SPECIFIC POINTS. FIRST HE SAID THAT AS THE GOT DID NOT ACCEPT THE FUNDAMENTAL PREMISES WITH RESPECT TO THE CONTINUED VALIDITY OF THE DCA AND ITS RELATED AGREEMENTS, IT DID NOT, OF COURSE, ACCEPT CERTAIN RELATED ARGUMENTS ASSERTED IN OUR AUGUST 25 NOTE. HE BEGAN BY REPEATING THE GOT'S ASSERTION THAT SOME AMERICANS IN TURKEY WERE SERVING A CLEARER NATO PURPOSE THAN OTHERS. HE THEN SAID WHAT HAS NOT REPEAT NOT BEEN OFFICIALLY SAID TO US BEFORE, NAMELY THAT THE NATO STATUS OF FORCES AGREEMENT (WHICH, UNLIKE THE DCA, THE GOT REGARDS AS STILL IN EFFECT) HAD MORE APPLICABILITY TO SOME AMERICAN MILITARY PERSONNEL IN TURKEY THAN TO OTHERS. I IMMEDIATELY AND VIGOROUSLY CHALLENGED THIS COMMENT, NOTING THE HISTORIC US POSITION THAT ALL US PERSONNEL IN TURKEY SERVED A NATO PURPOSE AND ALL WERE EQUALLY ENTITLED TO THE PROTECTION OF THE NATO/SOFA. (COMMENT: ELEKDAG DID NOT PURSUE THIS POINT THEN OR AT THE CONCLUSION OF OUR CONVERSATION WHEN HE SUMMARIZED THE BASIC POINTS HE HAD WISHED TO MAKE. AS DEPARTMENT AWARE, NUMBER OF MFA OFFICIALS, EVEN THOUGH SUPPORTING GOVERNMENT'S DISTINCTION BETWEEN US NATO AND US BILATERAL MILITARY ACTIVITIES HERE, HAVE BEEN WILLING TO CONTINUE TO APPLY THE NATO/SOFA TO ALL OUR PERSONNEL IN ACCORDANCE WITH DEFINITION OF "FORCE" IN ARTICLE I OF THE AGREEMENT. THUS OUR ARGUMENTS SO FAR HAVE NOT REPEAT NOT BEEN PRIMARILY OVER WHO IS ENTITLED TO THE NATO/SOFA BUT RATHER WHAT THE NATO/SOFA (A MUCH MORE LIMITED DOCUMENT THAN SOME OF OUR SUBSEQUENT DCA AGREEMENTS) ACTUALLY PROVIDES. I BELIEVE THAT ELEKDAG'S RAISING THIS WAS INADVERTENT, BUT I CANNOT BE SURE. IN ANY EVENT, AS NOTED ABOVE, HE DID NOT REPEAT NOT PURSUE IT. END COMMENT.)

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4. ELEKDAG NEXT RAISED AND PURSUED AT SOME LENGTH THE GOT'S OBJECTION TO THE US ASSERTION IN THE AUGUST 25 NOTE THAT THE 1954 TAX RELIEF AGREEMENT WAS STILL IN EFFECT. ELEKDAG, WITH SOME HEAT, SAID THAT THIS WAS ONE OF THE AGREEMENTS THAT WAS, ALONG WITH THE DCA, "TERMINATED," AND HE STRONGLY OBJECTED TO THE USG ASSERTION TO THE CONTRARY. IN REBUTTAL, I SIMPLY RESTATED USG LEGAL VIEW THAT NONE OF THESE AGREEMENTS HAD TERMINATED.

5. ELEKDAG NEXT RAISED OUR AUGUST 25 NOTE'S ASSERTION THAT JUSMMAT PERSONNEL CAME UNDER NATO/SOFA. HE SAID THAT SOFA STATUS WAS GIVEN TO JUSMMAT IN AN AGREEMENT REACHED THROUGH AN EXCHANGE OF NOTES IN 1954, AND BECAUSE THIS DCA-RELATED AGREEMENT WAS TERMINATED, JUSMMAT PERSONNEL COULD NO LONGER CLAIM NATO/SOFA PROTECTION. I COUNTERED BY ASSERTING THAT JUSMMAT PERSONNEL CLEARLY HAD SOFA PROTECTION REGARDLESS OF THAT AGREEMENT -- THAT IN FACT THIS 1954 AGREEMENT WAS REDUNDANT AND UNNECESSARY. THE MISSION OF JUSMMAT PERSONNEL WAS TO ARM THE TURKISH MILITARY FORCES SO THAT THESE COULD CARRY OUT THEIR NATO MISSION. I FOUND IT HARD, I SAID, TO UNDERSTAND HOW THE MFA COULD QUESTION, UNDER THE CIRCUMSTANCES, THE NATO CHARACTER OF JUSMMAT'S WORK, OR OF ITS ENTITLEMENT TO SOFA PROTECTION. (COMMENT: IT IS DIFFICULT FOR ME TO UNDERSTAND WHY IT WAS FELT NECESSARY IN 1954 TO HAVE A SPECIAL AGREEMENT ON THIS POINT. THE EXISTENCE OF THIS AGREEMENT DOES, OF COURSE, SOMEWHAT UNDERCUT THE ARGUMENT I MADE WITH ELEKDAG BUT I NEVERTHELESS BELIEVE IT IS A SOUND ONE, AND ONE WE SHOULD ADHERE TO. END COMMENT)

6. AFTER A RATHER STIFF BEGINNING, ELEKDAG'S MANNER SOFTENED AND AS OUR CONVERSATION PROGRESSED, HE TOOK THE OPPORTUNITY SEVERAL TIMES TO SAY THAT THE GOT REGARDED WHAT WAS HAPPENING IN THE US-TURKISH RELATIONSHIP AS AN "ACCIDENT" NOT WISHED BY EITHER SIDE. MOREOVER, HE STRESSED THAT IT WAS THE GOT DESIRE TO GET THIS "ACCIDENT" BEHIND US AS SOON AS POSSIBLE AND THEN ONCE MORE ESTABLISH A SOUND RELATIONSHIP "BECAUSE WE RECOGNIZE THAT THIS IS WHAT IS IN TURKEY'S INTEREST." HE ALSO SAID THAT THE GOT DID NOT REPEAT NOT WISH TO IMPOSE UNDUE HARDSHIP ON RESIDENT US MILITARY PERSONNEL (ALTHOUGH THEIR TREATMENT, HE STRESSED, MUST BE CONSISTENT WITH THE BASIC DECISIONS THAT TURKEY HAD TAKEN WITH REGARD TO THE PROVISIONAL STATUS OF OUR ACTIVITIES HERE.)

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7. I EXPRESSED APPRECIATION FOR HIS COMMENTS ABOUT WISHING TO AVOID PERSONAL HARDSHIPS AND THEN TOOK THE OPPORTUNITY TO COMPLAIN ABOUT APO AND BX MEASURES THAT HAD IN FACT BEEN TAKEN. I ALSO SPOKE ABOUT THE 33 ODD FAMILIES BEING IN EFFECT HELD HOSTAGE IN KARAMURSEL AS A RESULT OF THE CONDUCT OF A LOCAL CUSTOMS OFFICER IN YALOVA. I NOTED THAT THIS LATTER SITUATION STILL PREVAILED IN SPITE OF OUR REPEATEDLY BRINGING IT TO THE FOREIGN OFFICE'S ATTENTION. I ALSO SPOKE OF OUR CONCERN OVER THE CUSTOMS MINISTRY'S CONTINUED DELAY IN RELEASING JET FUEL FOR INCIRLIK AIR BASE. THIS, LIKE THE KARAMURSEL SITUATION, APPEARED TO BE PARTICULARLY INCONSISTENT WITH ASSURANCES THAT HAD BEEN GIVEN TO US BY THE FOREIGN MINISTER AND OTHERS AS TO WHAT PROVISIONAL STATUS WOULD AND WOULD NOT ENTAIL. ELEKDAG WAS NOT BRIEFED ON EITHER OF THESE SITUATIONS BUT AFTER

CONFERRING WITH ASULA (THE ONLY OTHER OFFICIAL PRESENT), HE REPLIED
THAT BOTH OF THESE PROBLEMS HAD BEEN WORKED ON (ASULA
INTERRUPTED TO SAY " AND ARE BEING WORKED ON") VERY HARD
BY THE MFA.
MACOMBER

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